

### REMARKS

Applicants would like to thank Examiner Phu for the indication of allowable subject matter recited in claims 15 and 16.

Claims 1-2, -13, 15-21, 23-32, 34-43, 45-52, 54, 56 and 58-61 are pending in the action, with claims 1, 12, 20, 31, 42, 54, 56 and 58-61 being independent. Claims 1, 12, 20, 31, 42, 54, 56 and 58-61 are amended to incorporate the allowable subject matter recited in claim 15. Claim 15 is canceled, without prejudice or disclaimer of the subject matter recited therein. The dependency of claim 16 also is amended to depend on claim 12. Claims 62-72 are added. Support for new claims can be found, for example, at paragraphs [0039] and [0041] of the specification. No new matter has been added.

Claims 1-2, 4, 11-13, 17-21, 23, 30-32, 34, 41-43, 45, 52, 54, 56 and 58-61 rejected under 35 U.S.C. §102(e) as allegedly being anticipated by US Pub. No. 2004/0213146 to Jones.

Claims 5, 24, 35 and 46 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jones in view of USP No. 6,452,967 to Druihe.

Claims 6-10, 25-29, 36-40 and 47-51 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jones in view of Druihe, and further in view of USP No. 6,775,529 to Roo.

Applicants respectfully traverse these rejections. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following comments and remarks.

### **Section 102(e) Rejections**

Claims 1-2, 4, 11-13, 17-21, 23, 30-32, 34, 41-43, 45, 52, 54, 56 and 58-61 rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Jones. As claims 1, 12, 20, 31, 42, 54, 56 and 58-61 have been amended to incorporate the allowable subject matter recited in claim 15, Applicants respectfully submit that claims 1, 12, 20, 31, 42, 54, 56 and 58-61 are allowable over Jones.

Claims 2, 4 and 11 depend from claim 1, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 1.

Claims 13 and 17-19 depend from claim 12, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 12.

Claims 21, 23 and 30 depend from claim 20, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 20.

Claims 32, 34 and 41 depend from claim 31, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 31.

Claims 43, 45 and 52 depend from claim 42, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 42.

### **Section 103(a) Rejections**

Claims 5, 24, 35 and 46 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jones in view of Druihe.

Claim 5 depends from claim 4 which depends on claim 1, and also is submitted to be allowable for at least the same reasons discussed above with respect to claim 1.

Claim 24 depends from claim 23 which depends on claim 20, and also is submitted to be allowable for at least the same reasons discussed above with respect to claim 20.

Claim 35 depends from claim 34 which depends on claim 31, and also is submitted to be allowable for at least the same reasons discussed above with respect to claim 31.

Claim 46 depends from claim 45 which depends on claim 42, and also is submitted to be allowable for at least the same reasons discussed above with respect to claim 42.

### **Section 103(a) Rejections**

Claims 6-10, 25-29, 36-40 and 47-51 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jones in view of Druihe, and further in view of Roo.

Claims 6-10 depend from claim 1, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 1.

Claims 25-29 depend from claim 20, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 20.

Claims 36-40 depend from claim 31, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 31.

Claims 47-51 depend from claim 42, and also are submitted to be allowable for at least the same reasons discussed above with respect to claim 42.

**New claims 62-72**

New claims 62-72 recite a communication signal which includes one or more data symbols.

New claims 62-72 depend from claims 1, 12, 20, 31, 42, 54, 56 and 58-61, respectively, and also are submitted to be allowable for at least the same reasons discussed above with respect to claims 1, 12, 20, 31, 42, 54, 56 and 58-61.

### **Conclusion**

Applicants respectfully request that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the Examiner, Applicants do not acquiesce with other positions that have not been explicitly addressed. In addition, Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

For all of the reasons set forth above, Applicants submit that the claims are in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call the undersigned at the telephone number shown below.

The required fee in the amount of \$500 for excess claims is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 24, 2008

/Alex Chan/

Alex Chan

Reg. No. 52,713

Customer No. 26200

Fish & Richardson P.C.

Telephone: (650) 839-5070

Facsimile: (877) 769-7945